

Box 50- SECTION 8  
1663

Patent  
U.S. No. 09/044,696  
Atty. Docket No. 1393.002

I hereby certify that this paper is being deposited in the U.S. Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, Attention: Box Missing Parts, on July 27 1998.

Nancy L. Swanson  
Nancy L. Swanson

July 27, 1998  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BARCHFELD et al.  
Serial No.: 09/044,696 Group Art: 1654  
Filed: March 18, 1998 Examiner: Unassigned  
For: DETOXIFIED MUTANTS OF BACTERIAL ADP-RIBOSYLATING  
TOXINS AS PARENTERAL ADJUVANTS

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts  
Sir:

Enclosed herewith to be filed in connection with the above-identified patent application are the following documents:

1. Response to the Notice to File Missing Parts
2. Declaration -- SIGNED
3. COPY: Notice to File Missing Parts of Application
4. Preliminary Amendment, Sequence Listing, and Diskette
5. Petition for One-Month Extension of Time
6. Check in the amount of \$1,496.00 covering the filing, additional claim, surcharge, and extension of time fees
7. Postal Receipt Card.

Respectfully submitted,

By: Alisa A. Harbin  
Alisa A. Harbin  
Reg. No. 33,895

Date: 23 July 1998

CHIRON CORPORATION  
Intellectual Property-R440  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 923-2708  
Facsimile: (510) 655-3542

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GROUP 1800



PATENT  
U.S. No. 09/044,696  
Atty. Docket No. 1393.002

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, Attention: Box Missing Parts, on July 27, 1998.

Nancy L. Swanson  
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RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF APPLICATION --  
FILE DATE GRANTED

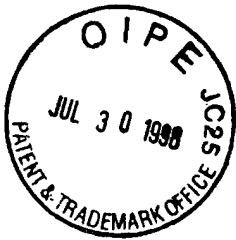
Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts

Sir:

In response to the "Notice to File Missing Parts of Application -- Filing Date Granted", mailed from the Patent and Trademark Office on April 28, 1998, enclosed herewith are the following documents:

1. Signed -- Combined Declaration and Power of Attorney
2. Preliminary Amendment, Sequence Listing, and Diskette
3. Petition for One-Month Extension of Time
4. Check in the amount of \$1,496.00 covering the filing, additional claim, surcharge, and extension of time fees.

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PATENT  
U.S. No. 09/044,696  
Atty. Docket No. 1393.002

The Assistant Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR 1.16 and 1.17 to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee.

Respectfully submitted,

CHIRON CORPORATION

By:

Alisa A. Harbin  
Reg. No. 33,895

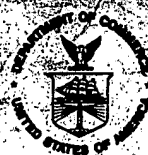
Date: 23 July 1998

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Emeryville, CA 94608-2916  
Telephone: (510) 923-2708  
Facsimile: (510) 655-3542

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/044.696	03/18/98	BARCHFELD	G 1393.002

ALISA A. HARBIN  
CHIRON CORPORATION  
4560 HORTON STREET  
EMERYVILLE, CA 94608

03627/0428

NOT ASSIGNED

1654

DATE MAILED: 04/28/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 1,386.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing  
☐ insufficient

Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ 246.00 for 3 independent claims over 3.

\$ 220.00 for 10 dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☒ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.48 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY